

REMARKS

By this Amendment, claims 1, 5, 7, 8, 10, 14, 25, 28 and 31-34 are amended, and claims 3, 4 and 6 are canceled. Claims 9, 15, 17-20, 22-24, 27 and 30 were previously presented in the Preliminary Amendment filed with the application and are unchanged relative to the previous version. Claims 2, 11-13, 16, 21, 26 and 29 remain as originally filed. Accordingly, claims 1, 2, 5 and 7-34 are pending in the application. Independent claim 1 has been amended to include the patentable limitations of canceled claims 3, 4 and 6. Dependent claims 5, 7 and 8 have been amended to provide proper dependency. Dependent claims 5, 10, 14, 25, 28 and 31-34 have been amended to improve the clarity of the claimed invention. Dependent claims 1, 5, 28, 31 and 32-34 have been amended to correct the informalities noted by the Examiner. Applicant submits that the claims as amended herein are patentable over the cited references, and thus, the application is now in condition for immediate allowance.

Claim Objections

Claim 3 is objected to as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claim 3 has been canceled from the application. Claims 1, 4-6, 28 and 31 are objected to because of various informalities. Claims 1, 5, 28 and 31 have been amended to correct the noted informalities. Claims 4 and 6 have been canceled from the application. Claims 32-34 are objected to for failing to provide proper method steps. Claims 32-34 have been amended to provide proper method steps, as suggested by the Examiner. Applicant respectfully submits that the amendments to the claims overcome the Examiner's objections, and therefore, respectfully request the Examiner to withdraw the objections to pending claims 1, 5, 28 and 31-34.

Claim Rejections – 35 U.S.C. §102

Claims 1-4, 6-8, 10-23 and 25-34 stand rejected under 35 U.S.C. 102(b) as being anticipated by EP 0152813 A2 (Wormann) for the reasons stated by the Examiner. Independent claim 1 has been amended to incorporate the subject matter previously contained within canceled dependent claim 3 (as originally filed prior to the Preliminary Amendment) and in canceled claims 4 and 6. Additionally, it is now specified in claim 1 that the glazing clip is of a “single piece” construction. Support for the latter amendment is provided in the drawing figures and in the published application (2006/0053719 A1) at paragraph numbered [0048], which states: “[t]he glazing clip is formed from a rigid thermoplastic material by injection moulding.” Injection moulding the glazing clip results in a single piece construction. As noted above, further amendments have been made to independent claim 1 and to dependent claims 5, 28 and 31-34 to provide antecedent basis for the various features of the claims and to address the Examiner’s objections.

Applicant respectfully submits that independent claim 1, as amended herein, defines novel and non-obvious subject matter over the cited references. Wormann discloses a multi-part glazing clip construction that is suitable only for a wooden frame, and as such, would not be considered to be particularly relevant to the modern market in which products must be suitable for PVC units. In particular, Wormann requires a support angle (**6** in Fig. 3) to be screwed to a wooden frame and for a support rail (**4** in Fig. 1) to be inserted in the support angle, which support rail includes a peg (**5** in Fig. 1) to fit with a rung (**3** in Fig. 1). Thus, Wormann teaches a multi-piece construction, not the single piece construction required by claim 1. Furthermore, Wormann does not disclose a U-shaped clip having a base that extends across an edge of a glazing unit when in use, as required by claim 1. With regard to claim 4 of the application, the Examiner has made reference to Fig. 3 of Wormann as disclosing a U-shaped clip. Applicant respectfully submits that Wormann instead teaches two L-shapes of two

different glazing clips, not a U-shaped single piece construction. The U-shaped single piece construction provides the advantage that it is easy to apply, keeps the clip securely in place, and automatically aligns the bars on either side of the glazing unit.

Claims 1, 3, 4 and 9 stand rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,792,724 (Burgess). Burgess discloses a clip intended to fit into the end of a Georgian-effect bar. The Burgess clip is intended for PVC windows, as is apparent from the drawing figures. Independent claim 1, as amended herein, includes the feature of original claim 6 that the interengaging means comprises an upstanding portion. The upstanding portion makes the construction of the bar assembly simpler and enables it to be more secure. Applicant notes that original claim 6 was not rejected by the Examiner as being anticipated by Burgess.

Applicant submits that independent claim 1, as amended herein, is patentable over Wormann and Burgess for at least the reasons stated above. Claims 3, 4 and 6 have been canceled. Claims 2, 7-23 and 25-34 depend directly or indirectly from patentable base claim 1, and thus, are likewise allowable for at least the same reasons. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejections of pending claims 1, 2, 7-23 and 25-34 over Wormann and Burgess.

Claim Rejections – 35 U.S.C. §103

Claim 5 stands rejected under 35 U.S.C. 103(a) as being unpatentable (obvious) over Burgess in view of US Patent No. 4,151,698 (Knights et al.). Claim 24 stands rejected under 35 U.S.C. 103(a) as being unpatentable (obvious over) Wormann in view of US Patent No. 6,026,621 (Fisher). Claim 5 depends directly and claim 24 depends indirectly from patentable base claim 1, and thus, these claims are likewise allowable for at least the same reasons. Accordingly, Applicant respectfully requests the Examiner to

withdraw the rejection of claims 5 and 24 under 35 U.S.C. 103(a).

CONCLUSION

As a result of the amendments made herein, the pending claims 1, 2, 5 and 7-34 are patentable and the application is now in condition for immediate allowance. The Examiner is encouraged to contact the undersigned directly to resolve any remaining issues in order to expedite allowance of the application. If there are any fees due in connection with the filing of this response not already accounted for, the Examiner is authorized to charge any such fee to Deposit Account No. 01-0265. If a petition for an extension of time and fee is required, such petition is hereby made and the Examiner is likewise authorized to charge the fee to Deposit Account No. 01-0265. Any overpayment or refund should be credited to Deposit Account No. 01-0265.

Respectfully submitted,

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